

DENOUNCING THE USE OF CIVILIANS AS HUMAN SHIELDS BY
HAMAS AND OTHER TERRORIST ORGANIZATIONS IN VIOLA-
TION OF INTERNATIONAL HUMANITARIAN LAW; AND CON-
DEMNING THE MURDER OF ISRAELI AND PALESTINIAN CHIL-
DREN IN ISRAEL AND THE ONGOING AND ESCALATING VIO-
LENCE IN THAT COUNTRY

MARKUP
BEFORE THE
SUBCOMMITTEE ON
THE MIDDLE EAST AND NORTH AFRICA
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRTEENTH CONGRESS

SECOND SESSION

ON

H. Con. Res. 107 and H. Res. 665

JULY 25, 2014

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**DENOUNCING THE USE OF CIVILIANS AS HUMAN SHIELDS
BY HAMAS AND OTHER TERRORIST ORGANIZATIONS IN
VIOLATION OF INTERNATIONAL HUMANITARIAN LAW; AND
CONDEMNING THE MURDER OF ISRAELI AND PALES-
TINIAN CHILDREN IN ISRAEL AND THE ONGOING AND ES-
CALATING VIOLENCE IN THAT COUNTRY**

FRIDAY, JULY 25, 2014

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND NORTH AFRICA,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The subcommittee met, pursuant to notice, at 9:48 a.m., in room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen (chairman of the subcommittee) presiding.

Ms. ROS-LEHTINEN. The subcommittee will come to order.

We meet today pursuant to notice to mark up two bipartisan measures. As your offices were previously notified, it is the intent of the Chair to consider the following items en bloc. And members will have before them, you have in your packet, House Concurrent Resolution 107, Denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law; number two, House Resolution 665, Condemning the murder of Israeli and Palestinian children in Israel and the ongoing and escalating violence in that country; and thirdly, Ros-Lehtinen amendment in nature of a substitute to House Con. Resolution 107, which was provided to your offices yesterday.

Without objection, these items are considered as read. And will be considered en bloc.

[The information referred to follows:]

113TH CONGRESS
2D SESSION

H. CON. RES. 107

Denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2014

Ms. ROS-LEHTINEN (for herself and Mr. DEUTCH) submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law.

Whereas the term “human shields” refers to the use of civilians, prisoners of war, or other noncombatants whose mere presence is designed to protect combatants and objects from attack;

Whereas the use of human shields violates international humanitarian law (also referred to as the Law of War or Law of Armed Conflict);

Whereas Additional Protocol I, Article 50(1) to the Geneva Convention defines “civilian” as, “[a]ny person who does not belong to one of the categories of persons referred to in Article 4(A) (1), (2), (3), and (6) of the Third Convention and in Article 43 of this Protocol. In the case of

doubt whether a person is a civilian, that person shall be considered a civilian.”;

Whereas Additional Protocol I, Article 51(7) to the Geneva Convention states, “[T]he presence or movement of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.”;

Whereas since June 15, 2014, there have been over 1,000 rockets fired by Hamas and other terrorist organizations from Gaza into Israel;

Whereas Hamas has been using civilian populations as human shields by placing their missile batteries in densely populated areas and near schools, hospitals, and mosques;

Whereas Israel drops leaflets, makes announcements, places phone calls and sends text messages to the Palestinian people in Gaza warning them in advance that an attack is imminent, and goes to extraordinary lengths to target only terrorist actors;

Whereas Hamas has urged the residents of Gaza to ignore the Israeli warnings and to remain in their houses and has encouraged Palestinians to gather on the roofs of their homes to act as human shields; and

Whereas Hamas, Al-Qacda, Hczbollah, Al-Shabaab, Islamic State of Iraq and the Levant (ISIL) and other foreign

terrorist organizations typically use innocent civilians as human shields: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring), That Congress—*

3 (1) strongly condemns the use of innocent civil-
 4 ians as human shields, including use by Hamas of
 5 this brutal and illegal tactic;

6 (2) calls on the international community to rec-
 7 ognize the grave breaches of international law by
 8 Hamas by using human shields;

9 (3) places responsibility for launching the rock-
 10 et attacks on Hamas and other terrorist organiza-
 11 tions, such as Islamic Jihad, in Gaza;

12 (4) supports the sovereign right of the Govern-
 13 ment of Israel to defend its territory and stop the
 14 rocket attacks on its citizens;

15 (5) expresses condolences to the families of the
 16 innocent victims on both sides of the conflict;

17 (6) supports Palestinian civilians who reject
 18 Hamas and all forms of terrorism, desiring to live in
 19 peace with their Israeli neighbors; and

20 (7) calls on Mahmoud Abbas to condemn the
 21 use of innocent civilians as human shields by Hamas
 22 and other terrorist organizations.

113TH CONGRESS
2D SESSION

H. RES. 665

Condemning the murder of Israeli and Palestinian children in Israel and
the ongoing and escalating violence in that country.

IN THE HOUSE OF REPRESENTATIVES

JULY 10, 2014

Mr. MCKINLEY (for himself, Mr. VARGAS, Mr. LAMBORN, Mr. SMITH of New Jersey, Mr. GRIFFIN of Arkansas, Mr. MCCLINTOCK, Mr. JOHNSON of Ohio, Mr. DENT, Mr. FITZPATRICK, Mr. FARENTHOLD, Mr. ROSKAM, and Mr. GRIMM) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning the murder of Israeli and Palestinian children
in Israel and the ongoing and escalating violence in that
country.

Whereas on April 23, 2014, the Palestinian factions of Fatah
and Hamas announced a deal to unify Palestinian Au-
thority rule over the West Bank and Gaza and to hold
elections;

Whereas Hamas has governed the Gaza Strip since 2007 and
is a designated terrorist organization by the governments
of the United States, Israel, Canada, Japan, Jordan and
Egypt, as well as the European Union;

Whereas Hamas does not recognize Israel's right to exist and
its charter calls for the destruction of the Jewish State;

Whereas Israel remains a strategic partner and ally since its establishment in 1948 and is a vibrant democracy with a strong rule of law situated in a hostile neighborhood in the Levant;

Whereas Israel has the right to self-defense as declared in Article 51 of the Charter of the United Nations;

Whereas Israelis Naftali Frenkel, 16, Gilad Shaer, 16, and Eyal Yifrah, 19, were kidnapped on June 12, 2014, and subsequently murdered by two suspected Hamas members in the West Bank;

Whereas Israel launched Operation Brother's Keeper to first retrieve the young boys and then to infiltrate and destroy Hamas' network in the West Bank;

Whereas Palestinian Mohammed Abu Khdeir, 16, was abducted and killed in a retaliatory act by extremists on July 2, 2014, in Jerusalem;

Whereas Israeli political leaders strongly denounced the killing of Mohammed Abu Khdeir, with Prime Minister Benjamin Netanyahu stating: "I unequivocally condemn the murder of a Palestinian youth in Jerusalem . . ." and "Murder, riots, incitement, vigilantism — they have no place in our democracy.";

Whereas Hamas continues to perpetuate violence against Israel, launching hundreds of rocket attacks on large population centers in Israel from Gaza;

Whereas Israel has made numerous efforts to avoid conflict through a proposed "quiet for quiet" formula which Hamas explicitly rejected; and

Whereas the Israel Defense Force consequently initiated Operation Protective Edge to respond to these ongoing threats to Israeli citizens: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns the kidnapping and murder of
3 Naftali Frenkel, Gilad Shaer, and Eyal Yifrah by
4 terrorists associated with Hamas and the murder of
5 Mohammed Abu Khdeir by extremists;

6 (2) commends Israeli authorities for acting
7 swiftly to apprehend the killers of Mohammed Abu
8 Khdeir and expects that the murderers will be pun-
9 ished to the full extent of the law;

10 (3) calls on the Hamas-backed Palestinian Au-
11 thority to cooperate fully with the Israeli government
12 to apprehend the murderers of Naftali Frenkel,
13 Gilad Shaer, and Eyal Yifrah and bring them to
14 justice;

15 (4) calls on Hamas to halt its attacks on Israel
16 and stop provoking Israel into a conflict; and

17 (5) urges the Palestinian Authority to sever ties
18 with Hamas until it recognizes Israel's right to exist
19 and renounces terrorism.

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H. CON. RES. 107
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA**

Strike the preamble and insert the following:

Whereas the term “human shields” refers to the use of civilians, prisoners of war, or other noncombatants whose mere presence is designed to protect combatants and objects from attack;

Whereas the use of human shields violates international humanitarian law (also referred to as the Law of War or Law of Armed Conflict);

Whereas Additional Protocol I, Article 50(1) to the Geneva Convention defines “civilian” as, “[a]ny person who does not belong to one of the categories of persons referred to in Article 4(A) (1), (2), (3), and (6) of the Third Convention and in Article 43 of this Protocol. In the case of doubt whether a person is a civilian, that person shall be considered a civilian.”;

Whereas Additional Protocol I, Article 51(7) to the Geneva Convention states, “[T]he presence or movement of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.”;

Whereas since June 15, 2014, there have been over 2,000 rockets fired by Hamas and other terrorist organizations from Gaza into Israel;

Whereas Hamas has been using civilian populations as human shields by placing their missile batteries in densely populated areas and near schools, hospitals, and mosques;

Whereas Israel drops leaflets, makes announcements, places phone calls and sends text messages to the Palestinian people in Gaza warning them in advance that an attack is imminent, and goes to extraordinary lengths to target only terrorist actors;

Whereas Hamas has urged the residents of Gaza to ignore the Israeli warnings and to remain in their houses and has encouraged Palestinians to gather on the roofs of their homes to act as human shields;

Whereas on July 23, 2014, the 46-Member UN Human Rights Council passed a resolution to form a commission of inquiry over Israel's operations in Gaza without a single mention of the indiscriminate rocket attacks by Hamas or the use of human shields, with the United States being the lone dissenting vote;

Whereas public reports have cited the role of Iran and Syria in providing material support and training to Hamas and other terrorist groups carrying out rocket and mortar attacks from Gaza;

Whereas throughout the summer of 2006 conflict between the State of Israel and the terrorist organization Hezbollah, Hezbollah forces utilized human shields in violation of international humanitarian law; and

Whereas Al-Qaeda, Al-Shabaab, Islamic State of Iraq and the
Levant (ISIL) and other foreign terrorist organizations
typically use innocent civilians as human shields: Now,
therefore, be it

Strike all after the resolving clause and insert the
following:

That Congress—

- 1 (1) strongly condemns the use of innocent civil-
2 ians as human shields;
- 3 (2) calls on the international community to rec-
4 ognize and condemn Hamas' breaches of inter-
5 national law through the use of human shields;
- 6 (3) places responsibility for the rocket attacks
7 against Israel on Hamas and other terrorist organi-
8 zations, such as Islamic Jihad;
- 9 (4) supports the sovereign right of the Govern-
10 ment of Israel to defend its territory and its citizens
11 from Hamas' rocket attacks, its kidnapping at-
12 tempts and its use of tunnels and other means to
13 carry out attacks against Israel;
- 14 (5) expresses condolences to the families of the
15 innocent victims on both sides of the conflict;
- 16 (6) supports Palestinian civilians who reject
17 Hamas and all forms of terrorism and violence, de-
18 siring to live in peace with their Israeli neighbors;

- 1 (7) condemns Hamas' repeated refusals to ac-
 2 cept a cease-fire with Israel; and
 3 (8) condemns the UN Human Rights Council's
 4 biased commission of inquiry into Israel's Gaza oper-
 5 ations.



Ms. ROS-LEHTINEN. After I recognize myself and the ranking member to speak on these measures, I will be glad to recognize other members who also seek recognition.

Without objection, all members may have 5 days to submit statements for the record on today's business.

The Chair now recognizes herself for her opening statement.

Today we have before us two timely and important resolutions. The first is House Concurrent Resolution 107, which I introduced alongside with our ranking member, Congressman Ted Deutch of Florida, that denounces the use of human shields by Hamas and other terrorist organizations. The second is the House Resolution 665, authored by David McKinley of West Virginia and our Middle East and North Africa Subcommittee colleague from California, Mr. Juan Vargas. Their resolutions condemn last month's murder of the three Israeli teens, and Eyal, Gilad, and Naftali by members of Hamas, and the murder of Palestinian teen Mohammed Abu Khedair by Israeli extremists and the escalation of violence.

It should be noted that while Israeli authorities move swiftly to arrest three suspects in Mohammed's murder, Eyal, Gilad, and Naftali's murderers are still roaming free, yet to be brought to justice.

But these measures are significant and their timing is not an accident. In light of the recent events that have transpired in Israel and Gaza over the past month and a half, it is extremely vital that the United States Congress serves as a counterweight to those who seek to delegitimize Israel by pushing a false moral equivalency measure. Make no mistake, there is no equivalency whatsoever between Israel and Hamas, a United States designated terrorist organization.

We need look no further than the mockery that is the United Nations Human Rights Council (UNHCR) to see the dangers of these efforts to delegitimize Israel. Just 2 days ago, that council passed a resolution to form a commission of inquiry into what it called war

crimes and human rights violations by Israel in Gaza. It should come as no surprise to any of us of the one-sidedness of the UNHCR—and this is the same body that gave us the deeply flawed and unabashedly biased anti-Israel Goldstone Report in 2009.

Yet remarkably, there was no mention of Hamas' indiscriminate rocket attacks on innocent Israeli civilian populations. But surely firing rockets into Israel and placing missile batteries in densely-populated areas and near schools, near hospitals, near mosques would merit a mention? Or perhaps using men, women, and children as human shields to protect militants and their rockets would draw the proper amount of outrage? No. Not a word.

But this has been the standard operating procedure of the UNHCR. It has been an anti-Semitic, anti-Israel pro-terror group for far too long. There must be some member nations on that body that would have had the moral outrage that we in Congress feel and that they would have voted against such a resolution. Alas, the United States was the lone voice of reason. The only Nation willing to say that we do not support this, that this is completely insane.

Where were our European allies? Those European countries that always tell us how much more enlightened they are than us. Deafeningly silent. They couldn't even stand by the courage of their convictions and vote either for or against the measure. No. They all abstained from voting. Perhaps thinking they took the moral high ground. But theirs is the worst crime of all, their refusal to stand up for what is right.

So here we are again, another UNHCR one-sided inquiry that will do nothing but embolden Hamas because Hamas sees this and it thinks that the world supports what it is doing.

I commend the U.S. Representative to the UNHCR for standing up against the resolution this week. Ambassador Harper rightly said that this vote will undermine achieving all of our objectives to end the hostilities and bring peace to the troubled region and acknowledge that once again, the council fails to exhibit any semblance of balance.

If the council truly cared about human rights, it would condemn Hamas' use of human shields and its indiscriminate rocket attacks against Israel. It would take a look at Hamas' call for citizens to ignore Israeli warnings to evacuate, or Hamas' insistence that Palestinians stand on their roofs to prevent an attack, putting the citizens directly in harm's way. And the council would call upon Hamas to accept a ceasefire, which I believe it has now refused to accept, at least three of the four of those attempts at a ceasefire, while Israel has accepted each one of them.

It would launch an inquiry into Hamas and its supporters, like supposedly our U.S. ally, Qatar. Not only is Qatar a major benefactor of Hamas, but it has also been working actively to undermine Egyptian and other Nations' ceasefire efforts, further emboldening Hamas.

Qatar, the same question that we entrusted to watch over to the Taliban 5 that has been supporting terrorists and radicals all across the globe and offers them sanctuary. Qatar, the same country that we just signed an \$11 billion arms deal with, \$11 billion, is the very same country that serves as Hamas' mouthpiece

through Al Jazeera, airing Hamas propaganda that then gets broadcast to the world.

Perhaps that is something the UNHCR could look into. But it won't, because it doesn't fit nicely into its agenda. And that is why passing these two measures will send a strong message that we will not allow Israel's enemies to undermine the security of our democratic ally or its legitimacy, but that we will continue to support Israel and do whatever is necessary to help it eliminate the terrorist threat, be it Hamas or Hezbollah or any other group.

I urge my colleagues to support these measures before us today.

And now I will turn to our ranking member, Congressman Deutch, for his remarks.

Mr. DEUTCH. Thank you, Madam Chairman. I want to thank you for moving forward on these timely and important resolutions today. And I extend my sincere gratitude to you for being a tremendous partner in our joint effort, House Concurrent Resolution 107, denouncing Hamas' use of civilians as human shields.

I want to recognize Mr. Vargas for his work on House Resolution 665, condemning the murder of Israeli and Palestinian children in Israel and the ongoing escalation of violence.

Chairman Ros-Lehtinen and I were in Israel the night the world learned the tragic fate of the three Israeli teens, Eyal, Gilad, and Naftali. We mourned with the families and the tens of thousands of others at their joint funeral. And we were there just days later when 16-year-old Mohammed Abu Khedair was brutally and tragically murdered.

In the wake of these heartbreaking deaths, violence escalated as Hamas began indiscriminately launching rockets to southern Israel and then central Israel, Tel Aviv, and Jerusalem. Thanks to the Iron Dome missile defense system, hundreds of thousands of Israeli lives have been saved. Israel has the right to defend her people against these attacks. And she can't be criticized for making the investments in Iron Dome to save her citizens while Hamas continues to invest in rockets aimed at killing Israeli citizens.

In the week since the start of Operation Protective Edge, Israel has uncovered numerous plots by Hamas to infiltrate Israel via terror tunnels and to launch attacks on Israeli civilians. I ask you to imagine what you would want your country to do if rockets were raining down on your hometown. If tunnels were built under your house, your children's nursery, your grandfather's senior center for the sole purpose of making it possible to pop up in those places and slaughter the people who live there.

As President Obama said, no Nation should accept rockets being fired into its border or terrorists tunneling into its territory.

Look, we all mourn the loss of innocent life to both sides of this conflict. It is tragic. But it is Hamas, a U.S. and European Union designated terrorist organization, terrorist army, that is embedding its terrorist infrastructure in densely populated civilian areas.

As Israel makes every attempt to warn of incoming strikes via phone calls, text messages, and leaflet drops, Hamas spokesmen go on TV and encourage civilians to stay in their homes to act as human shields. Hamas hides rockets in schools. In the past week, rockets were found in two U.N. schools. It hides them in mosques. There was a Washington Post report on July 17, when it witnessed

a group of men in a mosque in northern Gaza seen moving small rockets into the mosque.

Madam Chairman, I know that emotions run high on both sides of this conflict. But there is no path that leads to peace and a Palestinian state living side by side with the Jewish State of Israel that includes Hamas. The greatest impediment to peace for everyone who wants peace in the region, the greatest impediment to peace between Israel and the Palestinians is Hamas, whose charter is founded on the destruction of the State of Israel.

President Bill Clinton said in an interview this week, Hamas was perfectly well aware of what would happen if they started raining rockets in Israel. They fired 1,000 of them. And they have a strategy designed to force Israel to kill their own civilians so that the rest of the world will condemn them.

It is Hamas that chose to invest money in underground bunkers for its leaders and terror tunnels and rocket launchers instead of investing in jobs and schools and healthcare for the people of Gaza. The siege that people like to talk about in Gaza has been brought about on the people of Gaza by Hamas. And it is Hamas that uses its own people as human shields to protect these rocket launchers.

The use of civilians to protect military objectives is a direct violation of the Geneva Conventions. Look, this week, just this week, we heard from a Hamas spokesman. If there is any question about what is really happening here, we heard this statement. He said, we will keep tormenting Zionists until the last Zionist leaves the soil of Palestine, all of Palestine. Any calm is temporary, periodic calm. We don't talk about a long-term peace agreement. Calm in a resistance dictionary means preparation for the next war. The resistance will keep developing, manufacturing, and stocking its arsenals with new, surprising components for the next wars until the Zionist enemy leaves our country and all our land.

That is the Hamas spokesman.

It is really simple, Madam Chairman. Any responsible Nation that values human rights must condemn deplorable actions of Hamas and other terrorist groups. And the U.N. vote this week? Take a look at the 29 countries who voted to focus on Israel instead of the country that is launching rockets and launching terror attacks. Tell me about the great concern that human rights that Cuba and Venezuela have as they voted for that resolution.

Madam Chairman, I want to thank you for your commitment to bringing these bills forward in a bipartisan manner. And I hope that we have the opportunity as this—as this bill goes further to further delve into what is a very simple and straightforward proposition. That if you believe in human rights, if you believe in democracy, then you must support Israel's right to defend itself and you must condemn Hamas.

And I yield back.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Deutch.

Now I am pleased to recognize in the order you came in, Mr. Schneider of Illinois is recognized.

Mr. SCHNEIDER. Thank you, Madam Chairman. And I am very proud to join today and strongly rise to speak in support of both House Concurrent Resolution 107, condemning Hamas' use of

human shields, and House Resolution 665, condemning the measured of the four young people last month.

Speaking first to the human shields. In the 90 years since Israel withdrew completely from Gaza, evacuating 9,000 Israelis, Hamas and other groups in Gaza have launched over 9,000 rockets. This month alone, over 2,000 rockets intended to kill civilians and terrorize virtually every Israeli city, town, and village, have been launched from Gaza.

Thankfully, Israel has developed, with the support of this U.S. Congress and the American people, the Iron Dome defense system, changing the calculus on the ground. Israel is doing all it can to protect her citizens from Hamas rockets.

Conversely, Hamas is using the people of Gaza to protect the rockets and rocket launchers.

I fully support Israel's right to defend her citizens, to do what is necessary to eliminate the threat of rockets and the threat of terror tunnels dug under the ground into Israeli territory.

This resolution condemning the use of human shields, clearly a violation of international humanitarian law, is a strong statement that human shields cannot be used and Israel must be allowed to defend herself. Hamas is a terrorist organization. Hamas must be prohibited from using rockets to terrorize Israel and human shields to defend those rockets.

Let me also speak to the resolution condemning the callous murder of youths, whether it is boys Naftali, Gilad, or Eyal, or boys named Mohammed.

The clear distinction is that after the murder of Mohammed, Israel authorities quickly condemned the murder of the young man, arrested, and are prosecuting the perpetrators. As I stated before, the two murderers believed to have killed the three young Israelis remain at large, and too many people are unwilling to condemn the murder of Naftali, Gilad, and Eyal. We stand together in support of the families. We stand—I stand in support of Israel's right to defend herself, and I am proud to stand and support both of these resolutions.

I yield back.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Schneider.

Mr. Chabot of Ohio is recognized.

Mr. CHABOT. Thank you, Madam Chair. And I want to express to my support for both resolutions being considered this morning, H. Res. 665, Condemning the murder Israeli and Palestinian children and the ongoing and escalating violence in that country, and H. Con. Res. 107, Denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law.

I especially want to express my strong support for Israel's right to defend its territory from attacks by Hamas terrorists.

Since the start of Operation Protective Edge a little more than 2 weeks ago, more than 2,000 rockets have been launched against Israel from Gaza, from Syria, from Lebanon, and from Sinai, endangering of the lives of some 6 million Israelis. Yet if we listened to Hamas spokesmen, Hamas apologists in the news media, and in the anti-Israeli cabal in the U.N., we would be led to believe that Israel has been the aggressor. Meanwhile, Hamas exposes its own

people to danger by launching strikes from civilian neighborhoods near hospitals, near mosques, near schools. There were even published reports earlier this week of Hamas terrorists using ambulances as getaway cars.

This is a critical time in Israel's history. And it is imperative that we continue to stand beside our friend and ally. This subcommittee, by acting on these resolutions today, is sending a strong message, I believe, both to Hamas and to Israel. And I urge support of this resolution.

And I want to thank you, Madam Chair, for ensuring that our message will be heard.

I yield back.

Ms. ROS-LEHTINEN. Thank you, Mr. Chabot.

Ms. Frankel of Florida is recognized.

Ms. FRANKEL. Thank you, Madam Chair. And I want to thank my colleagues for bringing these resolutions and for their very eloquent remarks this morning. I support both resolutions.

Madam Chair, this week the United Nations found dozens of Hamas rockets stored in two separate children's schools in Gaza. These rockets are identical to the rockets that Hamas uses to terrorize millions of Israelis. And this serves as a reminder of what we already know. It is Hamas that is responsible for the terrible loss of life both in Israel and Gaza. Hamas embeds its weapons and launchers in schools in houses and mosques and hospitals. While Israel uses Iron Dome rockets to protect its citizens, Hamas uses citizens to protect its rockets. So we watch the news and we see the heart-wrenching images from Gaza and Israel. Remember, it is Hamas who is to bear the blame.

And I thank you, Madam Chair.

And I yield back.

Ms. ROS-LEHTINEN. Thank you, ma'am.

Mr. Cotton not of Arkansas is recognized.

Mr. COTTON. Hamas must be destroyed. The Gaza Strip is run by a rat's nest terrorist organization and has been for years. These terrorists have no regard for human life. They commit double war crimes every day by firing rockets and missiles and mortars at Israeli citizens, which they cite at the homes and the mosques and the hospitals and the churches of their civilians. They invade Israel through tunnels, which must also be destroyed because they are committing war crimes by wearing Israeli uniforms to kill Israeli soldiers and Israeli citizens.

The Israeli defense force is the most moral humanitarian fighting force in the world alongside with the Armed Forces of the United States. And rather than try to pressure Israel in any way, the United States should be standing by Israel along with so many other Middle Eastern governments in their efforts to destroy Hamas.

I am proud to support these resolutions, and I will reiterate that Hamas must be destroyed.

Ms. ROS-LEHTINEN. Thank you, sir.

Mr. Vargas of California is recognized.

Mr. VARGAS. Thank you very much, Madam Chair. And I want to thank you for bringing these resolutions forward, and especially for the bipartisan nature. You can see we all agree on these issues.

Israel has the right and really the moral obligation to defend itself. It can't sit idle as missiles rain down on their citizens. And so it has acted. And it has acted in a way not only to defend itself, but attempt to protect innocent life on both sides. Israeli soldiers have died in this process protecting civilians in of the Gaza Strip. And people should talk about that. I mean, this a very moral force that is in Gaza. The Israelis have gone out of their way, not only leafleting, but calling, letting people know, get out of the house.

Hamas has said, no. Bare your chest. Take those missiles on. Hamas has purposely put in these human shields to try to up the count of civilians that die. And so we have to stand strongly with Israel at this moment. We always should. I am very proud of the United States and the actions that it took at the United Nations the other day. I am very proud of our government. We have to continue to stand by Israel in this moment.

And I also want to thank Israel for not only capturing the murderers of the young Palestinian who was murdered, Mohammed Abu Khedair, 16 years old, but also condemning in the strongest way the murder of any person. In Israel, these people that murdered him were called terrorists and murderers as they should. Yet the murderers that killed the three Israeli teens are called heroes. That I think is the big difference. They haven't been captured. They haven't been condemned. Instead, they have been treated like heroes, and they have been allowed to run around and been hidden by the Palestinian authorities and others.

So I want to thank, again, Israel for not only condemning the murder of the 16-year-old but also showing its moral courage and going after them, the people who perpetrated the crime and saying, these are the guys and, yes, they are part of our citizenry and, yes, they are murderers. I wish the Palestinians would do the same thing. And you don't see that.

So again, thank you very much for bringing this forward, Madam Chair. I appreciate it very much, and I appreciate the bipartisan nature. Thank you.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Vargas.

And always leaving the best for last, Mr. Connolly of Virginia.

Mr. CONNOLLY. Thank you, Madam Chairman. And thank you and the ranking member for bringing these two resolutions before us.

Today we consider those two resolutions. First, H. Res. 665, which condemns the murder of Israeli and Palestinian children and the escalating violence in Israel.

The death that Mr. Vargas just referred to touched home in my district. Mohammed Khedair is the cousin of one of my prominent constituents. And that tragedy has touched our community, our Palestinian community, particularly in Northern Virginia, very hard.

But I echo the sentiments of Mr. Vargas. The sharp contrast between the fact that the Israeli justice system is prosecuting and pursuing those who perpetrated that murder is in sharp contrast to the absolute lack of a justice system and lack of any even semblance of adjudication and prosecution for the murder of three Israeli young people is for all the world to see.

The sound of sirens in Israeli cities warning of rockets overhead and images of the growing humanitarian crisis now in Gaza should strengthen, it seems to me, our resolve to end this current conflict and to resume our pursuit for a more lasting peace in Israel and Palestine. Our lesson from the crisis in Israel is that violence begets violence. Hamas continues to indiscriminately fire rockets into Israel, threatening the lives of Israeli citizens. Just as any sovereign Nation would, Israel has taken measures to protect its civilians from harm by targeting Hamas' operations in Gaza.

Unfortunately, the scene in Gaza is not unfamiliar. A brutal terrorist organization with wanton disregard for human life has embedded itself in a civilian population, and it uses that civilian population as a shield. The result is a humanitarian crisis that worsens by the day. We should, it seems to me, do all we can to arrest this endless cycle before more innocent lives are lost and the gulf between Israelis and Palestinians only widens it further.

I commend Secretary Kerry for his commitment to the peace process and for trying to bring both sides to the negotiating table. It is in the best interest of Israelis, the Palestinians, and all those who seek regional stability in negotiations for peace must resume.

Hamas has now fired over 2,000 rockets into Israel proper since June. The rockets are poorly guided, and Hamas makes no distinction regarding its targets. Flights out of Israel's Ben Gurion Airport were recently disrupted when a rocket detonated near that airport. Given this constant threat from above, Israel has taken measures to mitigate risks to its civilian population.

The Iron Dome system has had an 86-percent success rate in intercepting missiles destined for Israeli population targets. Consistent with the United States' close relationship with Israel and our commitment to its self defense, we have provided \$1 billion toward the development of that successful system. This doesn't even include the \$351 million that was included in the Fiscal Year 2015 National Defense Authorization Act that passed the House in June.

Israeli defense forces have also launched Operation Protective Edge, sending ground troops into the Gaza to disrupt Hamas' rocket capability and to shut down tunnels that have been used for terrorism.

Because Hamas has intermingled its military operations with civilian populations as part of its strategy to evade discovery and engagement by the IDF, there have been civilian casualties, far too many, in Gaza along with the worsening humanitarian crisis.

The United Nations agency for Palestinian refugees discovered itself Hamas rockets in a school next to a shelter for 3,000 Palestinian residents. Civilians are caught in the crosshairs of this conflict, subjected to violence, and cut off from resources or any semblance of normal life.

It is with this in mind that I hope all of us will urge an expedited return to the negotiating table. For those who once criticized Secretary Kerry's attempts at reviving the peace process, what is the alternative? It is a region embroiled in endless conflict and misery, and a fate none of us want to find acceptable for the Middle East.

Thank you again for your leadership, Madam Chairman, and that of yours, Mr. Deutch, and I certainly look forward to voting for these resolutions today.

Thank you very much.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Connolly.

Hearing no further requests for recognition, the question occurs on adopting the items under consideration en bloc.

All those in favor say aye. Aye. All opposed, no.

In the opinion of the Chair, the ayes have it and the en bloc amendments are approved.

Without objection, the items in the en bloc will be reported favorably to the full committee, and House Concurrent Resolution 107 will be reported in the form of a single amendment in the nature of a substitute.

The staff is directed to make any technical and conforming changes.

I want to thank all of the members and staff for their assistance and cooperation that went into today's markup. I thank you for coming.

And with that, the subcommittee is adjourned. Thank you.

[Whereupon, at 10:17 a.m., the subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE RECORD

SUBCOMMITTEE MARKUP NOTICE
COMMITTEE ON FOREIGN AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515-6128

Subcommittee on the Middle East and North Africa
Chairman Ileana Ros-Lehtinen (R-FL)

July 18, 2014

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN meeting of the Subcommittee on the Middle East and North Africa in Room 2172 of the Rayburn House Office Building (and available live on the Committee website at <http://www.foreignaffairs.house.gov>):

DATE: Friday, July 25, 2014

TIME: 9:30 a.m.

MARKUP OF: H.Res. 665, Condemning the murder of Israeli and Palestinian children in Israel and the ongoing and escalating violence in that country.

H.Con. Res. 107, Denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law.

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.



COMMITTEE ON FOREIGN AFFAIRS
MINUTES OF SUBCOMMITTEE MARKUP

MINUTES OF SUBCOMMITTEE ON the Middle East and North Africa MARKUP

Day Friday Date 7/25/14 Room 2172

Starting Time 9:46 a.m. Ending Time 10:15 a.m.

Recesses 0 (to) (to) (to) (to) (to) (to)

Presiding Member(s)

Chairman Ros-Lehtinen

Check all of the following that apply:

Open Session ☒

Electronically Recorded (taped) ☒

Executive (closed) Session ☐

Stenographic Record ☒

Televised ☒

BILLS FOR MARKUP: (Include bill number(s) and title(s) of legislation.)

*H.RES. 665, CONDEMNING THE MURDER OF ISRAELI AND PALESTINIAN CHILDREN IN ISRAEL AND THE ONGOING AND ESCALATING VIOLENCE IN THAT COUNTRY;
H.CON.RES. 107, DENOUNCING THE USE OF CIVILIANS AS HUMAN SHIELDS BY HAMAS AND OTHER TERRORIST ORGANIZATIONS IN VIOLATION OF INTERNATIONAL HUMANITARIAN LAW.*

COMMITTEE MEMBERS PRESENT:

Chairman Ros-Lehtinen, Ranking Member Deutch, Reps. Chabot, Cotton, Schneider, Frankel, Connolly, and Grayson.

NON-COMMITTEE MEMBERS PRESENT:

None

STATEMENTS FOR THE RECORD: (List any statements submitted for the record.)

None

ACTIONS TAKEN DURING THE MARKUP: (Attach copies of legislation and amendments.)

The en bloc items were agreed to by voice vote, and the measures, as amended, were ordered favorably reported to the full Committee by unanimous consent.


RECORDED VOTES TAKEN (FOR MARKUP): (Attach final vote tally sheet listing each member.)

<u>Subject</u>	<u>Yeas</u>	<u>Nays</u>	<u>Present</u>	<u>Not Voting</u>
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TIME SCHEDULED TO RECONVENE _____

or

TIME ADJOURNED 10:17 a.m.


Subcommittee Staff Director

07/25/2014 Middle East and North Africa Subcommittee Markup Summary

The Chair obtained unanimous consent to consider the following items (previously provided to Members) *en bloc*:

1. H. Res. 665 (McKinley), “Condemning the murder of Israeli and Palestinian children in Israel and the ongoing and escalating violence in that country”;
2. H. Con. Res. 107 (Ros-Lehtinen), “Denouncing the use of civilians as human shields by Hamas and other terrorist organizations in violation of international humanitarian law”; and
 - a. Ros-Lehtinen 55, an amendment in the nature of a substitute, amending H. Con. Res. 107.

The *en bloc* items were agreed to by voice vote, and the measures, as amended, were ordered favorably reported to the full Committee by unanimous consent.

The Subcommittee adjourned.